

ADAMS, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ENTECH, LTD.,)	
)	CASE NO. 5:16CV1541
Plaintiff,)	
)	
v.)	
)	<u>Judge John R. Adams</u>
MARCIA SPEECE,)	
)	ORDER
Defendant.)	
)	

Pending before the Court is a motion for a protective order filed by Plaintiff Entech, Ltd. Defendant Marcia Speece has opposed the motion, and Entech has replied. The motion is GRANTED as detailed herein.

Entech seeks a protective order in this matter primarily related to the computer that is currently in the Court's possession. Consistent with the allegations in the complaint, Entech alleges that the computer was exclusively used for business purposes and therefore contains confidential business records. Speece opposes the issuance of a protective order contending that Entech has made no demonstration that the computer contains any confidential information. Speece's position is untenable given the factual allegations in this matter.

During the case management conference in this matter, Speece conceded that the computer had been removed from the home by her son. As a result, neither Speece nor her counsel could definitively state what material remains on the computer. As such, the Court will not deny a request for a protective order due to some uncertainty as to whether the confidential business records referenced in the complaint remain on the computer. Instead, the contents of the

computer will initially be labeled attorney's eyes only. Absent further order of the Court, counsel and the parties will not disclose that information to anyone, including the parties. If counsel for either party seeks to alter the designation of the materials received, they may do so through motion practice with the Court.

Entech's counsel shall forthwith file a proposed protective order that reflects that the order is not stipulated to by all parties. The Court will then issue the order. Upon that issuance, the parties will have 3 business days to arrange for the pickup of the computer at issue from the Court's chambers.

IT IS SO ORDERED.

January 9, 2017
Date

/s/John R. Adams
JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE